## IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE

IN RE:		)	Chapter 11
		)	
W.R. GRACE & CO., et al.,		)	Case No. 01-1139 (JKF)
		)	
	Debtors.	)	Jointly Administered
		)	•

## **CERTIFICATE OF SERVICE**

I, James C. Carignan, do hereby certify that on March 28, 2011, I served the foregoing BNSF Railway Company's Designation Of Record And Statement Of Issues On Appeal (the "Statement") by causing copies thereof to be served via hand delivery upon the entities on the service list attached hereto as **Exhibit A**. I further certify that on March 28, 2011, I served the Statement by causing copies thereof to be served via first class mail, postage prepaid, upon the entities on the service list attached hereto as **Exhibit B**.

Dated: March 28, 2011

Wilmington, DE

Edward C. Toole, Jr., Esq. Linda J. Casey, Esq. 3000 Two Logan Square 18<sup>th</sup> & Arch Streets Philadelphia, PA 19103 Telephone: 215-981-4000

Facsimile: 215-981-4750

- and -

Robert J. Phillips, Esq. PHILLIPS LAW FIRM P.C. 283 West Front Street, Suite 301 P.O. Box 8569 Missoula, Montana 59807-8569 Telephone: 406-721-7880

Facsimile: 406-721-7880

Co-counsel to BNSF Railway Company

Respectfully submitted,

PEPPER HAMILTON LLP

/s/ James C. Carignan
James C. Carignan (No. 4230)
Hercules Plaza, Suite 5100

1313 N. Market Street

P.O. Box 1709

Wilmington, DE 19899-1709

Telephone: 302-777-6500

Counsel to BNSF Railway Company

## **EXHIBIT A**

Laura Davis Jones, Esq.
James E. O'Neill, Esq.
Kathleen P. Makowski, Esq.
Timothy P. Cairns, Esq.
Pachulski Stang Ziehi & Jones LLP
919 North Market Street, 16th Floor
P.O. Box 8705
Wilmington, DE 19899-8705
(Courier 19801)
Counsel to Debtors

David Klauder, Esq.
Office of the United States Trustee
844 King Street
Suite 2311
Wilmington, DE 19801

Adam G. Landis, Esq. Kerri K. Mumford, Esq. Landis Rath & Cobb LLP 919 Market Street, Suite 1800 Wilmington, DE 19801 Counsel to the Libby Claimants

John C. Phillips, Jr., Esq.
Phillips, Goldman & Spence, P.A.
1200 North Broom Street
Wilmington, DE 19806
Counsel to David T. Austern, Asbestos PI Future
Claimants' Representative

Michael B. Joseph, Esq.
Lisa L. Coggins, Esq.
Ferry & Joseph, P.A.
824 Market Street, Suite 904
P.O. Box 1351
Wilmington, DE 19899
Counsel to Official Committee of Asbestos
Property Damage Claimants

Brett D. Fallon, Esq.
Morris James LLP
500 Delaware Avenue, Suite 1500
P.O. Box 2306
Wilmington, DE 19899-2306
Counsel to Garlock Sealing Technologies LLC

Edward B. Rosenthal, Esq. Rosenthal, Monhait & Goddess, P.A. Mellon Bank Center, Suite 1401 P.O. Box 1070, 919 Market Street Wilmington, DE 19899-1070 Counsel to the Libby Claimants

Mark T. Hurford, Esq.
Marla R. Eskin, Esq.
Campbell & Levine, LLC
800 N. King Street, Suite 300
Wilmington, DE 19801
Counsel to Official Committee of Asbestos
Personal Injury Claimants

Karl Hill, Esq.
Seitz, Van Ogtrop & Green, P.A.
222 Delaware Avenue, Suite 1500
P.O. Box 68
Wilmington, DE 19899
Counsel to Asbestos PD Future Claimants'
Representative

Michael R. Lastowski, Esq. Richard W. Riley Duane Morris LLP 222 Delaware Avenue, Suite 1600 Wilmington, DE 19801-1659 Counsel to Official Committee of Unsecured Creditors Teresa K.D. Currier, Esq.
Saul Ewing LLP
222 Delaware Ave #1200
P.O. Box 1266
Wilmington, DE 19899
Counsel to Official Committee of Equity
Securities Holders

Barry M. Klayman, Esq. Cozen & O'Connor Chase Manhattan Centre 1201 North Market St., Suite 1400 Wilmington, DE 19801 Counsel to Federal Insurance Company

Michael W. Yurkewicz, Esq.
Klehr, Harrison, Harvey, Branzburg & Ellers
919 Market Street, Suite 1000
Wilmington, DE 19801
Counsel to Hartford Accident and Indemnity Company,
First State Insurance Company, Twin City Fire Insurance
Company, New England Reinsurance Corporation

Jeffrey C. Wisler, Esq.
Marc J. Phillips, Esq.
Connolly, Bove, Lodge & Hutz
The Nemours Building, Esq.
1007 North Orange Street
P.O. Box 2207
Wilmington, DE 1989
Counsel to Maryland Casualty Company, Zurich Insurance
Company and Zurich International (Bermuda) Ltd.

Richard S. Cobb, Esq.
James S. Green, Jr., Esq.
Landis Rath & Cobb LLP
919 Market Street, Suite 1800
P.O. Box 2087
Wilmington, DE 19899
Counsel to Bank Lender Group

Neil Glassman, Esq.
Bayard, P.A.
222 Delaware Avenue, Suite 900
P.O. Box 25130
Wilmington, DE 19899
Counsel to Post Petition DIP Lenders

John D. Demmy, Esq. Stevens & Lee 1105 North Market Street, 7th Floor Wilmington, DE 19801 Counsel to Fireman's Fund Insurance Company

David P. Primack, Esq.
Warren T. Pratt, Esq.
Drinker Biddle & Reath LLP
1100 North Market Street
Suite 1000
Wilmington, DE 19801-1254
Counsel to Government Employees Insurance
Company, Republic Insurance Company, OneBeacon
America Insurance Company and Seaton Insurance
Company

Ricardo Palacio, Esq.
Ashby & Geddes
500 Delaware Avenue, 8th Floor
P.O. Box 1150
Wilmington, DE 19899
Counsel to National Union Fire Insurance
Company of Pittsburgh, PA

Robert J. Dehney, Esq.
Ann C. Cordo, Esq.
Morris, Nichols, Arsht & Tunnell
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899
Counsel to Travelers Casualty and Surety
Company

Christopher D. Loizides, Esq.
Loizides & Associates
Legal Arts Building
1225 King Street, Suite 800
Wilmington, DE 19801
Counsel to Anderson Memorial Hospital, City of
Vancouver and School District 68 Nanaimo-Ladysmith

James C. Carignan, Esq.
Pepper Hamilton LLP
Hercules Plaza, Suite 5100
1313 North Market Street
P.O. Box 1709
Wilmington, DE 19899-1709
(Courier No. 19801)
Counsel to Longacre Master Fund Ltd. and
Longacre Capital Partners (QP) LP

Thomas G. Macauley, Esq.
Virginia Whitehill Guldi, Esq.
Zuckerman Spaeder LLP
919 Market Street
Suite 990
P.O. Box 1028
Wilmington, DE 19801
Certain Underwriters at Lloyds, London and
Certain London Market Companies

Jason M. Madron, Esq. Richards, Layton & Finger, P.A. One Rodney Square P.O. Box 551 Wilmington, DE 19899 Counsel to Bank of America, N.A.

James S. Yoder, Esq.
White and Williams LLP
824 Market Street, Suite 902
Wilmington, DE 19899-0709
Counsel to Allstate Insurance Company

Stuart M. Brown, Esq.
Robert C. Martin, Esq.
Edwards Angell Palmer & Dodge LLP
919 North Market Street
Suite 1500
Wilmington, DE 19801
Counsel to Morgan Stanley Senior Funding, Inc.

Kathleen M. Miller, Esq.
Smith, Katzenstein, & Jenkins LLP
The Corporate Plaza
800 Delaware Avenue, P.O. Box 410
Wilmington, DE 19899
Counsel to Aaron C. Edwards, James T. Beam,
Edward E. Storey, John M. Thomas, Sheila Martin,
Kaneb Pipe Line Operating Partnership, LP and
Support Terminal Services Inc.

Francis A. Monaco , Jr., Esq. Kevin J. Mangan, Esq. Womble Carlyle Sandridge Rice 222 Delaware Avenue Suite 1501 Wilmington, DE 19801 Counsel to State of Montana

Marc S. Casarino, Esq.
White and Williams LLP
824 N. Market Street, Suite 902
P.O. Box 709
Wilmington, DE 19899
Counsel to Century Indemnity Company

Frederick B. Rosner, Esq.
The Rosner Law Group LLC
824 N. Market Street, Suite 810
Wilmington, DE 19801
Counsel to General Insurance Company of
America

## **EXHIBIT B**

Lisa G. Esayian, Esq. John Donley, Esq. Adam Paul, Esq. Kirkland & Ellis LLP 300 N. LaSalle Chicago, IL 60654 Counsel to Debtors

Deanna D. Boll, Esq. Kirkland & Ellis LLP 601 Lexington Avenue New York, NY 10022 Counsel to Debtors

Lewis Kruger, Esq.
Kenneth Pasquale
Stroock & Stroock & Lavan LLP
180 Maiden Lane
New York, NY 10038
Counsel to Official Committee of Unsecured
Creditors

Elizabeth DeCristofaro, Esq. Ford Marrin Esposito Witmeyer & Gleser, LLP Wall Street Plaza, 23rd Floor New York, New York 10005-1875 Counsel to The CNA Companies

Daniel M. Glosband, Esq. Goodwin Procter LLP Exchange Place Boston, Massachusetts 02109 Counsel to The CNA Companies

Richard H. Wyron, Esq.
Roger Frankel, Esq.
Debra L. Felder, Esq.
Orrick, Herrington & Sutcliffe LLP
1152 15th Street, NW
Washington, DC 20005
Counsel to David T. Austern, Asbestos PI Future
Claimants' Representative

Janet S. Baer, P.C. Roger J. Higgins, Esq. Baer Higgins Fruchtman LLC 11 East Wacker Drive Suite 2800 Chicago, IL 60601 Counsel to Debtors

William S. Katchen, Esq.
Duane Morris LLP
One Riverfront Plaza
Newark, NJ 07102
Counsel to Official Committee of Unsecured
Creditors

Daniel C. Cohn, Esq. Murtha Cullina LLP 99 High Street, 20<sup>th</sup> Floor Boston, MA 02110 Counsel to the Libby Claimants

Jonathan W. Young, Esq.
Jeff Chang, Esq.
Wildman, Harrold, Allen & Dixon LLP
225 West Wacker Drive
Chicago, Illinois 60606-1229
Counsel to The CNA Companies

Michael S. Giannotto, Esq. Frederick C. Schafrick, Esq. Goodwin Procter LLP 901 New York Avenue, N.W. Washington, D.C. 20001 Counsel to The CNA Companies

Elihu Inselbuch, Esq.
Caplin & Drysdale, Chartered
375 Park Avenue, 35th Floor
New York, NY 10152-3500
Counsel to Official Committee of Asbestos
Personal Injury Claimants

Peter Van N. Lockwood, Esq. Caplin & Drysdale, Chartered One Thomas Circle, N.W. Washington, D.C. 20005 Counsel to Official Committee of Asbestos Personal Injury Claimants

Alan B. Rich, Esq. Law Office of Alan B. Rich, Esq. 1201 Elm Street, Suite 4244 Dallas, TX 75270 Counsel to Asbestos PD Future Claimants' Representative

J. Douglas Bacon, Esq.
Latham & Watkins LLP
233 South Wacker Drive, Suite 5800
Chicago, IL 60606
Counsel to Post-Petition DIP Lenders

Michael A. Shiner, Esq. Tucker Arensberg, P.C. 1500 One PPG Place Pittsburgh, PA 15222-5401 Counsel to AXA Belgium, as Successor to Royale Belge SA

Mark D. Plevin, Esq.
Leslie A. Davis, Esq.
Tacie H. Yoon, Esq.
Crowell & Moring LLP
1001 Pennsylvania Avenue, N.W.
Washington, DC 20004
Counsel to Fireman's Fund Insurance Company

Craig Goldblatt, Esq.
Nancy L. Manzer, Esq.
Wilmer Pickering Hale And Dorr LLP
1875 Pennsylvania Avenue, N.W.
Washington, DC 20006
Counsel to Hartford Accident and Indemnity Company,
First State Insurance Company, Twin City Fire Insurance
Company, and New England Reinsurance Corporation

Scott L. Baena, Esq.
Bilzin, Sumberg, Baena, Price & Axelrod
1450 Brickell Avenue, Suite 2300
Miami, FL 33131
Counsel to Official Committee of Asbestos
Property Damage Claimants

Philip Bentley, Esq.
David E. Blabey, Jr., Esq.
Kramer Levin Naftalis & Frankel LLP
1177 Avenue of the Americas
New York, NY 10036
Counsel to Counsel to the Official Committee
of Equity Security

William P. Shelley, Esq.
Jacob C. Cohn, Esq.
Ilan Rosenberg, Esq.
Cozen O'Connor
1900 Market Street
Philadelphia, PA 19103
Counsel to Federal Insurance Company

Eileen T. McCabe, Esq. Mendes & Mount, LLP 750 Seventh Avenue New York, NY 10019 Counsel to AXA Belgium, as Successor to Royale Belge SA

Leonard P. Goldberger, Esq. Marnie E. Simon, Esq. Stevens & Lee, P.E. 1818 Market Street, 29th Floor Philadelphia, PA 19103-1702 Counsel to Fireman's Fund Insurance Company

William J. Bowman, Esq.
James P. Ruggeri, Esq.
Edward B. Parks, II, Esq.
Hogan & Hartson, L.L.P.
555 Thirteenth Street, N.W.
Washington, DC 20004
Counsel to Hartford Accident and Indemnity Company,
First State Insurance Company, Twin City Fire
Insurance Company, and New England Reinsurance
Corporation

Michael F. Brown, Esq.
Jeffrey M. Boerger, Esq.
Drinker Biddle & Reath LLP
One Logan Square, Suite 2000
18th & Cherry Streets
Philadelphia, PA 19103-6996
Counsel to Government Employees Insurance Co.,
Republic Insurance Co., n/k/a Star Indemnity & Liability
Co., One Beacon America Insurance Co, and Seaton
Insurance Co.

Richard A. Ifft, Esq.
Karalee C. Morell, Esq.
Wiley Rein LLP
1776 K Street, N.W.
Washington, DC 20006
Counsel to Maryland Casualty Company, Zurich Insurance
Co., Zurich International (Bermuda) Ltd.

George R. Calhoun, V, Esq.
Steptoe & Johnson, LLP
1330 Connecticut Avenue, N.W.
Washington, DC 20036
Counsel to TIG Insurance Company, United
States Fire Insurance Company

Stephen J. Shimshak, Esq.
Andrew N. Rosenberg, Esq.
Margaret A. Phillips, Esq.
Paul, Weiss, Rifkind, Wharton & Garrison LLP
1285 Avenue of the Americas
New York, NY 10019-6064
Counsel to The Bank Lender Group

C. Alan Runyan, Esq.
Speights & Runyan
200 Jackson Avenue, East
Post Office Box 685
Hampton, SC 29924
Counsel to Anderson Memorial Hospital, City of
Vancouver, and School District 68 Nanaimo-Ladysmith

Daniel A. Speights, Esq.

Edward 1. Longosz, II, Esq.
Eckert Seamans Cherin & Mellott, LLC
1717 Pennsylvania Avenue, N.W.
Suite 1200
Washington, DC 20006
Counsel to Maryland Casualty Company

Michael S. Davis, Esq. Zeichner Ellman & Krause LLP 575 Lexington Avenue New York, NY 10022 Counsel to National Union Fire Insurance Co. of Pittsburgh, PA

Mary Beth Forshaw, Esq.
Katharine A. McLendon, Esq.
Elisa Alcabes, Esq.
Simpson Thacher & Bartlett LLP
425 Lexington Avenue
New York, NY 10017-3954
Counsel to Travelers Casualty and Surety
Company

Jeff J. Friedman, Esq.
Noah Heller, Esq.
Merritt A. Pardini, Esq.
Katten Muchin Rosenman LLP
575 Madison Avenue
New York, NY 10022
Counsel to Morgan Stanley Senior Funding,
Inc.

Sander L. Esserman, Esq.

David J. Parsons, Esq.
Stutzman, Bromberg, Esserman & Plifka
2323 Bryan Street, Suite 2200
Dallas, TX 75201
Counsel to Aaron C. Edwards, James T. Beam, Edward
E. Storey, John M. Thomas, Sheila Martin, Kaneb Pipe
Line Operating Partnership, L.P., and Support Terminal
Services, Inc.

Garland Cassada, Esq.
Richard C. Worf, Esq.
Robinson, Bradshaw & Hinson
101 North Tryon Street, Suite 1900
Charlotte, NC 28246
Counsel to Garlock Sealing Technologies LLC

John W. Kozyak, Esq.
David L. Rosendorf, Esq.
Kozyak Tropin & Throckmorton, P.A.
2525 Ponce de Leon, 9th Floor
Coral Gables, FL 33134
Counsel to Anderson Memorial Hospital

Christopher M. Candon, Esq. Cohn Whitesell & Goldberg LLP 101 Arch Street Boston, MA 02110 Counsel to the Libby Claimants

Michael Seth Etkin, Esq. Ira M. Levee, Esq. Lowenstein Sandler P.C. 65 Livingston Avenue Roseland, NJ 07068 Counsel to ERISA Plaintiffs

Robert J. Sidman, Esq.
Tiffany Strelow Cobb
Vorys, Sater, Seymour and Pease LLP
52 East Gay Street
Columbus, OH 43215
Counsel to The Scotts Company LLC

Carl Pernicone, Esq.
Catherine Chen, Esq.
Wilson Elser Moskowitz Edelman Dicker LLP
150 East 42nd Street
New York, NY 10017-5639
Counsel to Arrowood Indemnity Company

Steve A. Peirce, Esq.
Fulbright & Jaworski L.L.P.
300 Convent Street, Suite 2200
San Antonio, TX 78205-3792
Counsel to Kaneb Pipe Line Operating Partnership, L.P., and Support Terminal Services, Inc.

Toby L. Gerber, Esq.
Fulbright & Jaworski L.L.P.
2200 Ross Avenue, Suite 2800
Dallas, TX 75201
Counsel to Kaneb Pipe Line Operating Partnership, L.P., and Support Terminal Services, Inc.

Robert S. Hertzberg, Esq.
Pepper Hamilton LLP
100 Renaissance Center, Suite 3600
Detroit, MI 48243-1157
Counsel to Longacre Master Fund, Ltd.,
Longacre Capital Partners (QP), L.P.

Joseph H. Meltzer, Esq.
Barroway Topaz Kessler Meltzer &
Check, LLP
280 King of Prussia Road
Radnor, PA 19087
Counsel to ERISA Plaintiffs

Brad Elias, Esq.
Tancred Shiavoni, Esq.
O'Melveny & Myers, LLP
Times Square Tower
7 Times Square
New York, NY 10036
Counsel to Arrowood Indemnity Company

David M. Turetsky, Esq.
J. Gregory St. Clair, Esq.
Skadden, Arps, Slate, Meagher & Flom LLP
Four Times Square
New York, NY 10036
Counsel to Sealed Air Corporation

Andrew Craig, Esq.
Cuyler Burk P.C.
Parsippany Corporate Center
Third Floor
Four Century Drive
Parsippany, NJ 07054
Counsel to Sealed Air Corporation

Andrea Madigan, Enforcement Attorney Region VIII 1595 Wynkoop Street Denver, CO 80202 Counsel to U.S. Environmental & Protection Agency

Edward J. Westbrook, Esq.
Richardson Patrick Westbrook & Brickman
1037 Chuck Dawley Blvd. - Bldg A
Mount Pleasant, SC 29464
Counsel to Zonolite Attic Insulation Class Plaintiffs

Harley E. Riedel, Esq. Stichter Riedel Blain & Prosser, P.A. 110 E. Madison Street, Suite 200 Tampa, FL 33602 Counsel to Anderson Memorial Hospital

Christopher E. Prince, Esq.
Lesnick Prince LLP
185 Pier Avenue
Suite 103
Santa Monica, CA 90405
Counsel to General Insurance Company of America

Deborah Waldmeir, Esq. State Of Michigan Department Of Treasury Lansing, MI 48922 Counsel to State of Michigan Dept. of Treasury James D. Freeman, Esq.
U.S. Department of Justice
Environmental Enforcement Section
999 18th Street
South Terrace, Suite 370
Denver, CO 80202
Counsel to the United States of America

David S. Rosenbloom, Esq. McDermott, Will & Emery 227 West Monroe Street Chicago, IL 60606-5096 Counsel to Fresenius U.S.A., Inc.

Robert M. Horkovich, Esq. Anderson, Kill & Olick, P.C. 1251 Avenue of the Americas New York, NY 10020-1182 Counsel to Asbestos Claimants Committee

Peter Nils Baylor, Esq. Nutter, McClennen & Fish LLP 155 Seaport Blvd. Boston, MA 02210-2604 Counsel to Town of Action, Massachusetts

Robert B. Millner, Esq.
Sonnenschein Nath & Rosenthal LLP
233 South Wacker Drive, Suite 7800
Chicago, IL 60606
Counsel to General Insurance Company of
America

Garvan F. McDaniel, Esq. Bifferato Gentilotti LLC 100 Biddle Avenue, Suite 100 Springside Plaza Newark, DE 19702 Counsel to TIG Insurance Company and United States Fire Insurance Company